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April 4, 2022

VIA ECF/PACER

Hon. Judith C. McCarthy
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, NY 10601-4150

**Re: Request to Adjourn Settlement Conference with Consent
Civil Action 20-CV-10830 (NSR)**

Dear Judge McCarthy:

The undersigned represents Defendant M.V.M. Construction, LLC ("MVM") in the above captioned matter. After conferring with chambers, MVM respectfully request an adjournment of the settlement conference currently scheduled for April 11, 2022. Plaintiff has consented to the adjournment request. Further, the settlement conference has not been adjourned previously.

By way of background, MVM is a party to another litigation in New York State Court (Index No. 59489/2021). MVM is compelled to attend an in-person mediation in that state court proceeding, on April 11, 2022. The undersigned does not represent MVM in that action and was therefore unaware of the conflict at the time this Court's settlement conference was scheduled.

Pursuant to the instructions provided by Chambers, the parties are unavailable on the following dates: April 15th to 19th, April 25th, and May 3rd. MVM appreciates the Court's efforts to reschedule and look forward to attending the settlement conference.

Sincerely,

Frank T. Cara

Frank T. Cara

SO ORDERED:

Application granted. The settlement conference currently scheduled for April 11, 2022 is adjourned to April 20, 2022 at 2:00 p.m. Parties are required to appear. Counsel are required to submit a confidential, *ex parte* letter, so identified, to the Court, not to exceed five pages in length, no later than five business days prior to the conference, outlining any information counsel believes would assist the Court in preparation for the conference.

Judith C. McCarthy
JUDITH C. McCARTHY
United States Magistrate Judge

4-5-22